

DCP:JRS/GSK/DAS
F. #2021R00900

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK
----- X

UNITED STATES OF AMERICA

- against -

SUZEE HAN,

Defendant.

----- X

I N F O R M A T I O N

Cr. No. 23-48 (EK)
(T. 18, U.S.C., §§ 371, 981(a)(1)(C),
1349 and 3551 et seq.; T. 21, U.S.C.,
§ 853(p); T. 28, U.S.C., § 2461(c))

THE UNITED STATES ATTORNEY CHARGES:

I N T R O D U C T I O N

At all times relevant to this Information, unless otherwise indicated:

I. The Defendant and Relevant Entities

1. Ozy Media, Inc. (“OZY”) was a Delaware corporation headquartered in Mountain View, California. OZY was a media and entertainment company whose businesses included digital newsletters, television production, podcasts and live events.

2. The defendant SUZEE HAN was a resident of San Francisco, California, and New York, New York. HAN was OZY’s Chief of Staff from approximately 2019 to 2021.

II. The Fraudulent Scheme

3. In or about and between 2019 and 2021, the defendant SUZEE HAN, together with others, engaged in a scheme to defraud OZY’s investors, potential investors, potential acquirors, lenders and potential lenders through material misrepresentations and omissions about, among other things, OZY’s historical and projected financial results, OZY’s debts, OZY’s audience numbers, the identities of OZY’s investors and the sizes of their

investments, the existence and timing of investment rounds, the identities of OZY's business partners, the existence and terms of key contracts and purported offers to purchase OZY by high-profile corporations.

COUNT ONE

(Conspiracy to Commit Securities Fraud)

4. The allegations contained in paragraphs one through three are realleged and incorporated as if fully set forth in this paragraph.

5. In or about and between June 2019 and October 2021, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant SUZEE HAN, together with others, did knowingly and willfully conspire to use and employ manipulative and deceptive devices and contrivances, contrary to Rule 10b-5 of the Rules and Regulations of the United States Securities and Exchange Commission, Title 17, Code of Federal Regulations, Section 240.10b-5, by: (i) employing one or more devices, schemes and artifices to defraud; (ii) making one or more untrue statements of material fact and omitting to state one or more material facts necessary in order to make the statements made, in light of the circumstances under which they were made, not misleading; and (iii) engaging in one or more acts, practices and courses of business which would and did operate as a fraud and deceit upon one or more investors and potential investors in OZY, in connection with the purchase and sale of investments in OZY, directly and indirectly, by use of means and instrumentalities of interstate commerce and the mails, contrary to Title 15, United States Code, Sections 78j(b) and 78ff.

6. In furtherance of the conspiracy and to effect its objects, within the Eastern District of New York and elsewhere, the defendant SUZEE HAN, together with others, did commit and cause to be committed, among others, the following:

OVERT ACTS

(a) In or about October 2019, HAN, together with others, altered contracts for two of OZY's television shows to make the contracts' terms appear to be significantly more favorable to OZY than the true contracts were, and then emailed the falsified documents to a potential OZY acquiror.

(b) In or about January 2021, HAN, together with others, created a falsified version of OZY's general ledger, which included a line-by-line listing of the company's purported accounting, that aligned with the fabricated financial figures that HAN and others had provided to a potential OZY investor.

(Title 18, United States Code, Sections 371 and 3551 et seq.)

COUNT TWO
(Conspiracy to Commit Wire Fraud)

7. The allegations contained in paragraphs one through three are realleged and incorporated as if fully set forth in this paragraph.

8. In or about and between June 2019 and October 2021, both dates being approximate and inclusive, within the Eastern District of New York and elsewhere, the defendant SUZEE HAN, together with others, did knowingly and intentionally conspire to devise a scheme and artifice to defraud one or more investors and potential investors in, and lenders and potential lenders to, OZY, and to obtain money and property from them by means of one or more materially false and fraudulent pretenses, representations and promises, all affecting financial institutions and others, and for the purpose of executing such scheme and artifice, to transmit and cause to be transmitted by means of wire communication in interstate and foreign commerce

writings, signs, signals, pictures and sounds, contrary to Title 18, United States Code, Section 1343.

(Title 18, United States Code, Sections 1349 and 3551 et seq.)

CRIMINAL FORFEITURE ALLEGATION

9. The United States hereby gives notice to the defendant that, upon her conviction of either of the offenses charged herein, the government will seek forfeiture in accordance with Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461(c), which require any person convicted of such offenses to forfeit any property, real or personal, constituting, or derived from, proceeds obtained directly or indirectly as a result of such offenses.

10. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third party;
- (c) has been placed beyond the jurisdiction of the court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be divided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendant up to the value of the forfeitable property described in this forfeiture allegation.

(Title 18, United States Code, Section 981(a)(1)(C); Title 21, United States Code, Section 853(p); Title 28, United States Code, Section 2461(c))

BREON PEACE
UNITED STATES ATTORNEY
EASTERN DISTRICT OF NEW YORK

F #: 2021R00900
FORM DBD-34
JUN 85

No.

UNITED STATES DISTRICT COURT

EASTERN *District of* NEW YORK

CRIMINAL DIVISION

THE UNITED STATES OF AMERICA

vs.

SUZEE HAN,

Defendant.

INFORMATION

(T. 18, U.S.C., §§ 371, 981(a)(1)(C), 1349 and 3551 et seq.;
T. 21, U.S.C., § 853(p); T. 28, U.S.C., § 2461(c))

A true bill.

Foreperson

Filed in open court this ----- *day,*

of ----- *A.D. 20* -----

Clerk

Bail, \$ -----

Jonathan Siegel, Gillian Kassner and Dylan A. Stern,
Assistant U.S. Attorneys (718) 254-6293/6224/6213